

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

SEAN PRESSLEY,)	
)	
Plaintiff,)	Civil Action No. 01 - 2350
)	
v.)	Judge Terrence F. McVerry/
)	Magistrate Judge Lisa
SUPT. P. JOHNSON, C.O. CLARK,)	Pupo Lenihan
C.O. YOLINSKY, C.O. M. FREEMAN,)	
C.O. G. FREEMAN, LT. BLAKELY,)	
CAPT. T. MCCONNELL, C.O. W. DUKE,)	
C.O. ABRAMS, C.O. CRUMB, CAPT.)	
CLAYBORNE, DR. REUDA, P.A.)	
F. POLANDO, DEPUTY SUPT. DICKSON,)	
C.O. B. KNIGHT, C.O. FULLER, C.O.)	
NEIPORT, CAPT. SIMPSON, H.E.)	
MATHEWS, SGT. BEDILION, C.O.)	
FRIDLEY, C.O.S. POS. DOE, #1, LT.)	
E. FERSON, JOHN DOE, #2, C.O.)	
ONSTOTT, C.O. SHAFER, JOHN DOE, #3)	
LT. A. BOVO, C.O. ROSE, C.O.)	
JOHNSON, C.O. AKERS, SGT. GIDDENS,)	
LT. J. HOLMES, SUPT. CONNER)	
BLAINE, JOHN DOE, #4, MAJOR)	
HASSETT, DEPUTY SUPT. MILLER,)	
SMITH, MAHLMEISTER, BRUNO, CAPT.)	
GRAINEY, sued in their individual)	
and official capacities, C.O.)	
SIPOS, NURSE DANNER, JOHN DOE #5,)	
JOHN DOE #6, and JOHN DOE #7,)	
)	
Defendants.)	

ORDER

The above captioned case was referred to United States Magistrate Judge Ila Jeanne Sensenich for pretrial proceedings in accordance with the Magistrates Act, 28 U.S.C. § 636(b)(1), and Rules 72.1.3 and 72.1.4 of the Local Rules for Magistrates. The case was transferred to Magistrate Judge Lisa Pupo Lenihan on April 6, 2004.

The Magistrate Judge's Report and Recommendation (Doc. No. 264), filed on September 6, 2007, recommended the Supplemental Motion for Summary Judgment filed by the Commonwealth Defendants (Doc. No. 255) be granted. The Plaintiff was served with the report and recommendation at S.C.I. Mahanoy, 301 Morea Road, Frackville, PA 17932, and defense counsel was served at their address of record. All parties were advised they were allowed ten (10) days from the date of service to file written objections to the report and recommendation. No objections have been filed.

After review of the pleadings and documents in the case, together with the report and recommendation and the objections thereto, the following order is entered:

AND NOW, this 28th day of September, 2007;

IT IS HEREBY ORDERED that the Supplemental Motion for Summary Judgment filed by the Commonwealth Defendants (Doc. No. 255) is **GRANTED**.

IT IS FURTHER ORDERED that the Report and Recommendation (Doc. No. 264) of Magistrate Judge Lenihan, dated September 6, 2007, is adopted as the opinion of the court.

IT IS FURTHER ORDERED that the Clerk of Court is directed to mark this case closed.

By the Court:

s/ Terrence F. McVerry
United States District Judge

cc: The Honorable Lisa Pupo Lenihan
United States Magistrate Judge

Sean Pressley
CG-4129
SCI Mahanoy
301 Morea Rd
Frackville, PA 17932

Counsel of record.